UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1994/1095
26 September 1994

ORIGINAL: ENGLISH

LETTER DATED 26 SEPTEMBER 1994 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose herewith the text of the resolutions passed by the two chambers of the Parliament of the Republic of Croatia, dated 22 and 23 September 1994.

I would kindly request your assistance in distributing this letter and its annexes as a document of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

94-37375 (E) 270994 280994

/...

Annex I

The Parliament of the Republic of Croatia
The Chamber of Counties (Županije)
The Speaker
No. 63-94-16

Zagreb, 22 September 1994

To: The Speaker of the Chamber of Representatives of the Parliament of the Republic of Croatia

Pursuant to article 81, paragraph 2 of the Constitution of the Republic of Croatia, the Chamber of Counties (Županije) of the Parliament of the Republic of Croatia has debated, at its sixteenth session, held on 21 and 22 September 1994, the mandate of the United Nations Protection Force (UNPROFOR) in the territory of the Republic of Croatia.

In accordance with article 75, paragraph 5, of the Rules of Procedure of the Chamber of Counties of the Parliament of the Republic of Croatia, I hereby inform the Chamber of Representatives of the Parliament of the Republic of Croatia that the Chamber of Counties (Županije) of the Parliament has taken the following

VIEW

At its sixteenth session, held on 21 and 22 September 1994, the Chamber of Counties (Županije) of the Parliament of the Republic of Croatia has been made cognizant of the "Report of the Government of the Republic of Croatia on Actual Conditions and Immediate Tasks in the Implementation of Foreign Policy", submitted by the Vice-Premier and Minister for Foreign Affairs, Dr. Mate Granić.

In particular, the Chamber of Counties (Županije) has examined the overall peace efforts focused on the resolution of the conflict in the territory of the Republic of Croatia, and of Bosnia and Herzegovina, and the UNPROFOR mandate in the light of a lasting and comprehensive solution of the problem posed by the temporarily occupied Croatian areas and the reintegration into the overall legal and political system of the State.

The Chamber of Counties (Županije) has adopted the following conclusions and recommendations:

1. The Chamber of Counties (Županije) accepts the Report of the Government of the Republic of Croatia submitted by the Vice-Premier and Minister for Foreign Affairs of the Republic of Croatia, and supports the presented assessments and fundamental positions of the Government of the Republic of Croatia.

Reaffirming its earlier judgements concerning the inefficiency of UNPROFOR in the territory of the Republic of Croatia, the Chamber of Counties (Županije)

hereby establishes the fundamental identity of the judgements of the Government and of the Croatian public.

2. The Chamber of Counties (Županije) of the Parliament hereby proposes to the Chamber of Representatives of the Parliament to make the extension of the mandate of the United Nations Protection Force conditional upon a concrete guarantee that the established tasks of the Protection Force shall be implemented within specific terms, and that peaceful reintegration of the temporarily occupied areas into the Republic of Croatia shall be assured.

With its inefficiency, i.e., non-implementation of the essential resolutions of the United Nations Security Council, UNPROFOR has actually facilitated the sustained activity of illegitimate authorities in parts of sovereign Croatian territory and permitted numerous unlawful actions of such self-styled authorities, including acts of aggression both against the free parts of the Republic of Croatia and against the territory of Bosnia and Herzegovina, and unpunished acts practically aimed at the integration of these temporarily occupied areas into the so-called Federal Republic of Yugoslavia (Serbia and Montenegro).

3. In view of the foregoing, the Chamber of Counties (Županije) recommends to the Chamber of Representatives and the Government of the Republic of Croatia to obtain from the international community, including the Contact Group, an explicit and firm peace plan for the liberation and reintegration of temporarily occupied Croatian areas, such plan to include the following essential components:

- Reciprocal and unconditional recognition of all States emerged in this area since 1991 within their internationally recognized borders;

- Efficient supervision of such internationally recognized borders;

- Sanctions against the aggressor side to be enforced until the achievement of the final solution;

- The return of displaced persons within a specified deadline;

- The Constitution and the Constitutional Law on Human Rights and Freedoms, and Rights of Ethnic and National Communities or Minorities in the Republic of Croatia;

- The frame of reference of the Peace Initiative of the President of the Republic of 1 December 1993;

- Explicit punitive provisions for the sides refusing to accept such a plan.

The Chamber of Counties (Županije) requests the Croatian delegation to most resolutely raise, with the appropriate international bodies, and primarily the Security Council, the demand for urgent and time-defined measures which shall guarantee progress in the comprehensive solution of the problem of reintegration

of temporarily occupied areas, and assure an accordingly defined UNPROFOR mandate.

If the Security Council should not endorse the aforementioned minimum demands, the Chamber of Counties (Županije) will support the decision on the cessation of the UNPROFOR mandate throughout the territory of the Republic of Croatia.

4. In particular, the Chamber of Counties (Županije) draws attention to the unacceptably grave position of displaced persons and families of missing and abducted persons, and to the brutal violation of their human rights, and therefore endorses their warranted protests, calling upon all responsible international factors to efficiently intercede on their behalf and thus provide for their return to their homes and dignified living.

5. Placing emphasis on Croatia's peaceful and constructive policy in the solution of the conflict in South-eastern Europe, and welcoming in particular the progress in the implementation of all Washington agreements, especially those concerning the establishment of the Federation of the Bosniacs and Croats, the Chamber of Counties (Županije) calls upon all friendly States and their Parliaments to bring their influence to bear on the decisions of the international community and, thus, to contribute to a comprehensive, lasting and peaceful solution of the crisis, which will reverse the consequences of aggression, ethnic cleansing and all other acts contrary to international law and international standards.

The Speaker

Prof. Katica IVANIŠEVIĆ, Ph.D.

Annex II

The Parliament of the Republic of Croatia

The Chamber of Representatives

Zagreb, 23 September 1994

To: The President of the Republic of Croatia
The Government of the Republic of Croatia
The General Assembly of the United Nations
The United Nations Security Council

Recalling its earlier conclusions and resolutions which have established the total inefficiency of the United Nations Protection Force (UNPROFOR) in the implementation of its mandate such as defined in the so-called Vance Plan and in the subsequent United Nations Security Council resolutions (in particular resolutions 762 (1992), 769 (1992) and 871 (1993);

Expressing the conviction, reinforced by the United Nations Secretary-General, Mr. Boutros Boutros-Ghali in his latest report of 17 September 1994 (S/1994/1067) that the implementation of the UNPROFOR mandate in the territory of the Republic of Croatia cannot even be expected;

And pursuant to the debate at its twentieth session, held on 22 and 23 September 1994, the Parliament of the Republic of Croatia:

Hereby asserts its DEMANDS with the following

RESOLUTION

I. The past UNPROFOR mandate in the territory of Croatia cannot be extended and is considered to be terminated.

II. The Republic of Croatia is prepared to negotiate a conditional and technical UNPROFOR mandate in the territory of the Republic of Croatia for the next 100 days if the United Nations Security Council enacts a resolution containing provisions for the actual implementation of the UNPROFOR mandate in the Republic of Croatia, i.e.:

1. The disarmament and disbanding of all armed groups in the occupied parts of the Republic of Croatia;

2. The provision of safe return of all displaced persons;

3. The provision of protection and safety of living to all persons who lived in the currently occupied parts of the Republic of Croatia prior to Serbian aggression;

4. The provision of immediate establishment of the authority of the Republic of Croatia in the so-called "pink zones", and subsequently in all currently occupied areas of the Republic of Croatia, in accordance with the Constitution of the Republic of Croatia and the Constitutional Law on Human Rights and Freedoms, and Rights of Ethnic Communities or Minorities;

5. Establishment of efficient control of the internationally recognized borders of the Republic of Croatia with Serbia and with part of Bosnia and Herzegovina controlled by the paramilitary units of the Bosnian Serbs.

III. In addition to the foregoing, we demand in particular that part of the so-called Sector West, which was under the control of the authorities of the Republic of Croatia at the time of UNPROFOR deployment in the Republic of Croatia, be immediately excluded from the United Nations protected area (UNPA).

IV. If the aforementioned commitments under II and II above are not met within the specified time, i.e., by 10 January 1995, the Parliament of the Republic of Croatia shall consider the UNPROFOR mandate in the territory of the Republic of Croatia definitively terminated.

V. The Parliament of the Republic of Croatia considers either the relieving or the abolition of sanctions against the so-called Federal Republic of Yugoslavia (Serbia and Montenegro) to be unacceptable before the latter's recognition of the Republic of Croatia within its internationally recognized borders.

VI. The Parliament of the Republic of Croatia recommends to the President of the Republic of Croatia, and requests of the Government of the Republic of Croatia, to conduct the negotiations on the possible extension of the UNPROFOR mandate in the Republic of Croatia in accord with the demands mentioned in the present resolution.

The Speaker of the Parliament of
the Republic of Croatia

Dr. Nedjeljko MIHANOVIĆ